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C O N F I D E N T I A L SECTION 01 OF 06 OTTAWA 003229

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SUBJECT: 218TH MEETING OF THE CANUS PERMANENT JOINT BOARD
ON DEFENSE (PJBD)

Classified By: POLMINCOUNS Brian Flora. Reasons: 1.4 (b) and (d).

11. (SBU) On September 20-21, 2006, Canada and the U.S. convened the 218th meeting of the Permanent Joint Board on Defense (PJBD) at the Department of Foreign Affairs and Trade in Ottawa. U.S. co-Chair George Nethercutt and Canadian co-Chair Rick Casson led the meeting.

Overview/Opening Remarks

12. (U) Conservative Party MP, Chairman of the House of Commons Standing Committee on National Defense, and Canadian PJBD co-Chair Rick Casson began his first Board meeting by stressing two of Prime Minister Harper's key defense and security priorities: (1) strengthening the Canada-U.S. relationship and (2) rebuilding and expanding the Canadian military's capability as a multi-role, combat-capable armed force. Casson highlighted noteworthy events since the previous PJBD in February, including both governments' endorsement and indefinite extension of the NORAD Agreement, the rapid stand-up of Canada Command, and the revitalization of the Canada-U.S. Military Cooperation Committee.

13. (C/REL CAN) Casson suggested the U.S. and Canada consider developing a separate tri-lateral forum that would include Mexico rather than inviting the Mexicans to join the PJBD. He also touched on Canadian concerns about ITAR. Casson emphasized that our shared mission in Afghanistan was a "great current example" of combined U.S.-Canada cooperation in the Global War on Terror, and that our NATO partners needed to do more to help confront the fragile security situation in southern Afghanistan near Kandahar.

14. (U) U.S. co-Chair George Nethercutt welcomed Casson and stressed the USG's appreciation of GOC efforts to strengthen the Canadian Forces, and for the CF's good work, leadership, and sacrifice in Afghanistan. He remarked that the new agreement on NORAD brought flexibility to a critically important organization that, most recently, helped us advance the GWOT and other elements of our new defense agenda. Nethercutt emphasized that the U.S. was open-minded about the potential benefit of coordinated tri-lateral cooperation among Canada, the United States, and Mexico, to include in some PJBD fora where appropriate.

15. (SBU) Referring to the 60-year history of the PJBD, both co-Chairs welcomed the presence of new members from the Department of Homeland Security (DHS) and its Canadian counterpart, Public Safety and Emergency Preparedness Canada

(PSEPC), as evidence of the Board's continuing evolution in response to a changing threat environment and reflective of the nexus between defense and security.

Bi-National Planning Group (BPG)

¶6. (SBU) Discussants reviewed the final report of the Bi-national Planning Group, noting that the U.S. and Canada had accomplished 20 of the report's 30 recommendations. In particular, the two sides had coordinated the Canada-U.S. Basic Defense Document, had the Military Cooperation Commission (MCC) address global and strategic level CANUS military cooperation, and had added representatives from PSEPC and DHS to the PJBD.

¶7. (C/REL CAN) There was considerable discussion about BPG recommendation 7-1, which called for a "Comprehensive Defense Recommendation 7-1, which called for a "Comprehensive Defense and Security Agreement (CDSA) to provide vision, authority and guidance for increased information sharing and cooperation among CANUS partners." Some pressed against embarking immediately on a CDSA, with members of the U.S. delegation noting that NORTHCOM was still working internally to "get the defense piece right." Many Canadians agreed, pointing out that only seven months after it was formed Canada Command was fully occupied by standing itself up, and was just beginning to develop relations with the Canadian security bureaucracy.

¶8. (SBU) Consensus formed around the desirability of a CDSA, however, and the need to report progress toward that end at the next PJBD. The report should focus on the vision and guiding principles that would underlie the CDSA. Discussants asked the drafters to include a list of the key agreements and arrangements already in place that would support a CDSA

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and a suggested time-line for the production and adoption of an agreement. The U.S. Department of State (DOS) and Canada's Department of Foreign Affairs and International Trade (DFAIT) were tasked with preparing a draft CDSA in time for consideration at the next PJBD gathering.

North Warning System

¶9. (SBU) The North Warning System (NWS) brief was tasked at the 214th PJBD when an initial paper study suggested that ageing facilities and primary mission equipment would require major near-term investment in order for the NWS to operate through 2020. A follow up engineering analysis, which included on-site inspections, was launched in 2005. This more detailed second study found that thanks to the cold climate and the excellent construction materials and techniques used when the facilities were last refit, the NWS infrastructure was not deteriorating rapidly as was believed. The NWS should last through 2020 with current levels of O&M funding and without the wholesale refurbishment and replacement called for in the first study.

¶10. (SBU) While the Board was gratified by the report, it queried the wider surveillance requirements of both countries and the future role of the NWS. The Board requested that NORAD brief the Board on "next generation" technology options for the surveillance of North America at the next PJBD.

Maritime Warning/Maritime Domain Awareness

¶11. (SBU) DND's Director for Maritime Policy briefed the Canadian perspective on maritime warning and the role of the Maritime Security Operations Centers (MSOCs) therein. Efforts were underway to develop Maritime Security Operations Centers on both coasts and in the Great Lakes, but national and bi-lateral maritime domain processing and warning remained works in progress with GOC attorneys struggling to overcome obstacles to information sharing within the GOC and

with the USG. Cooperation on the Great Lakes, and bilateral information-sharing related to law enforcement in particular, was "bedeviling" the lawyers and the GOC's Interdepartmental Marine Security Working Group (IMSWG). Canadian co-Chair Casson asked if Canada's NORAD treaty obligations could help chart a way through some of the legal obstacles.

¶12. (C/REL CAN) The discussion of potential maritime security architectures revealed considerable uncertainty about how NORAD's new "maritime warning" mission, which is not the same as maritime domain awareness, would play into the mix. Would it be duplicative or would it complement the efforts of NORTHCOM and Canada Command? NORAD Deputy Commander argued that any plan that made NORAD an echo chamber of information flowing through NORTHCOM and Canada Command should be re-worked to ensure that NORAD's bi-national strengths were brought to bear.

¶13. (C/REL CAN) The co-Chairs expressed concern about the plan for the MSOCs to come into full operating capability in September 2010, months after the Vancouver Olympics, and requested an update and recommendations at the next meeting on progress made in Canada and the U.S. on maritime domain awareness. The Board also requested an update on the status of the implementation of the NORAD's maritime warning mission and the implementation of the NORAD's maritime warning mission at the next PJBD.

The Commands and CANUS Operational Planning

¶14. (SBU) The Board was advised that Commander NORAD-NORTHCOM had directed the establishment of an initial capacity to provide bi-national maritime warning within the NORAD-NORTHCOM Command Center (N-NC CC), a step that moved the command towards conformity with the maritime defense and security requirements of the renegotiated NORAD agreement. He also authorized the creation of a planning team whose work would be informed by proven Canadian and U.S. defense processes. The brief led to discussion of work underway to bridge NORAD-NORTHCOM differences as Cheyenne Mountain moved towards "warm standby" and elements of the two commands were fused at Peterson AFB. NORAD-NORTHCOM J-5 Director noted that the merged J-5 operation was working well, with its output benefiting from both NORAD and NORTHCOM perspectives.

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¶15. (SBU) NORAD-NORTHCOM J-5 Director said that considerable progress had been made in NORAD CONPLAN 3310, the CANUS Combined Defense Plan (CDP), and the CANUS Civil Assistance Plan (CAP). There remained, however, much to think through in terms of how NORAD and NORTHCOM and Canada Command will relate to each other in the future. Policy maker level choices among bilateral, "soft bilateral," bi-national solutions to common threats would either enhance or degrade our capacity to respond quickly and appropriately to threats to North American security. Nevertheless, the planners' task was backed by clear vision and guidance. They were to strengthen interoperability and information-sharing, and to deepen the NORTHCOM-Canada Command relationship where possible, in order to build a comprehensive, mutually beneficial continental defense architecture that would better protect the CANUS homelands.

¶16. (C/REL CAN) Canada Command COS noted that his new command was the fruit of the transformation of the CF to make it more relevant, responsive and effective. Having been launched in February 2006, Canada Command was now 80 percent manned but was still sorting out its domestic, bilateral and bi-national roles. Planners were occupied by the Command's concept of operations, the British Columbia Earthquake and the Pandemic Influenza Contingency Plans, the CANUS Combined Defense Plan, the CANUS Civil Assistance Plan, the CBRN Contingency Plan, the Vancouver Olympics 2010 Contingency Plan, and the Major Air Disaster Plan. Command planners had not been tasked with CONPLAN 3310 because it remained

"unclear who owned it" on the Canadian side.

¶17. (SBU) The Board welcomed efforts taken to enhance Canada-U.S. defense planning and requested an update at the next PJBD on the Combined Defense Plan and the Civil Assistance Plan, and other areas in need of greater attention.

Military Cooperation Committee

¶18. (SBU) In place since 1945, the recently re-vitalized Military Cooperation Committee (MCC) is the primary strategic link between U.S. and Canadian joint staffs occupied with the defense of North America and CANUS defense interests worldwide. Since April 2006, the MCC has reviewed and agreed the Canada-U.S. Basic Defense Document and completed a draft of NORAD Terms of Reference (TOR) prior to the CDS-CJCS meeting. The draft NORAD TOR was particularly timely, as it focused on determining the role of NORAD in the overall maritime information sharing network, and sought to articulate its relationship to NORTHCOM and Canada Command. At its November 28 meeting, the MCC will identify shared maritime warning and maritime domain awareness goals and objectives, discuss information and intelligence sharing initiatives, and update NORAD CONPLAN 3310-06, CDP, and CAP.

U.S./Canada/Mexico Trilateral Defense Cooperation

¶19. (C/REL CAN) DFAIT DG for International Security agreed it was necessary to begin a defense and security dialogue with the Mexicans, but that they should not be included in the PJBD, a "privileged bilateral forum." Rather, the U.S. and Canada should form with the Mexicans a trilateral body of three charter members, he argued. The GOC would not want Qthree charter members, he argued. The GOC would not want Mexican reluctance to fully engage with the U.S. and Canada to hold back progress on CANUS defense and security issues.

¶20. (SBU) The Board recognized that the new Calderon Administration would likely take some time to form. Co-chair Nethercutt suggested that we keep an open mind and that both Canada and the U.S. reach out to the new Mexican government to gauge its willingness to engage before the PJBD considers how best to draw the Mexicans into a defense and security arrangement.

Safety and Security

¶21. (SBU) A briefing on the National Guard noted that Congress might soon permit the Guard to engage in cross-border security cooperation in support of authorities in Canada and Mexico. The change could open up considerable scope for nationally coordinated state and province training, exercises, and cooperation. Both sides noted that there were

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considerable legal impediments to overcome before this cooperation could occur. It was worthwhile, however, to explore such possibilities in the lead up to the Vancouver Olympics, particularly given the Guard's CBRNE expertise.

¶22. (SBU) The Board requested that DOS and DHS, and PSEPC and DFAIT, brief the Board at the next PJBD meeting on key measures to enhance CANUS safety and security. The briefing should also address how public safety agencies and the combatant commands would best coordinate issues that cut across their missions and their areas of responsibility.

International Traffic in Arms Regulations (ITAR)

¶23. (C/REL CAN) Canadian Director of Export Controls briefed the Board regarding GOC and Canadian industry concerns relating to ITAR. He said that while the GOC understood the need for ITAR, it was concerned that the USG's "increasingly

stringent" application of ITAR was disadvantaging the CF and Canadian industry. He stressed that the ITAR 126.1 list of prohibited countries/nationalities was problematic for the GOC because questioning dual nationals about their foreign citizenship(s) for the purposes of employment or assignment was potentially a violation of Canada's Charter of Rights and Freedoms (Canadian constitution equivalent). The U.S. welcomed senior level U.S.-Canada dialogue on the issue slated for late October in Ottawa.

NATO in Afghanistan

¶24. (C/REL CAN) Canadian Director of NATO Policy briefed the Board on challenges facing NATO force generation for ISAF. He noted that allied success in Afghanistan was critical to ensure that Afghanistan does not revert back to a failed state and terrorist haven. A failure in Afghanistan would be a major blow to the credibility of NATO and the OSCE, and would potentially undermine public support for U.S.-Canada cooperation. There were near term shortfalls in the key areas such as medevac support, quick reaction forces, theater reserve forces, maneuver elements and provincial reconstruction teams. National caveats were also a major problem inhibiting success.

¶25. (C/REL CAN) U.S. Board members noted that the USG shared all of the views articulated in the briefing, noting that geographical caveats were particularly damaging to operational effectiveness. They also expressed appreciation for the critical role Canada was playing in Afghanistan and in ensuring that NATO, and its Article V responses, were credible. In addition to addressing the challenges noted above, both sides agreed that it was also important to ensure that NATO's normal force generation process worked. The co-Chairs agreed to address their concerns with NATO force generation for ISAF and with overly restrictive caveats with their respective representatives to the NATO Parliamentary Assembly.

Closing Remarks

¶26. (C) In his closing remarks, U.S. co-Chair Nethercutt declared PJBD 218 a success. He asked members to "reflect on their worries and what keeps them up at night," particularly in the lead up to the 2010 Olympics in Vancouver, and to bring them to the next meeting so the Board can work through them. Casson echoed Nethercutt's remarks, and noted that the PJBD has served the U.S. and Canada well as a forum that brings value to decision makers. Informal consensus was quickly reached with co-Chair Nethercutt's suggestion that the 219th PJBD meet in San Diego, California due to its major military and security installations, its large commercial port, its proximity to Mexico, and its Pacific Rim orientation.

¶27. (U) Record of Decision of the 218 PJBD, Paras 27 - 37.

NATO in Afghanistan:

¶28. (U) The Board recognizes the importance of the success of the International Security Assistance Force mission to the defense and security of North America. It notes the American and Canadian concerns about NATO force generation challenges for Afghanistan and fully supports ongoing efforts to find

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ways to encourage all NATO partners to resolve these challenges. The Board co-Chairs will urge their respective NATO Parliamentary Assembly representatives to raise these concerns with their Allied counterparts.

Comprehensive Defense and Security Agreement:

¶29. (U) The Board recognizes the value of a Comprehensive Defense and Security Agreement, as recommended in the Final

Report of the Bi-National Planning Group. It requests the Department of Foreign Affairs and International Trade and Department of State to draft a vision and guiding principles for the Canada-U.S. defense and security relationship for consideration at the next meeting.

Safety and Security:

¶30. (U) Given the nexus between security and defense, the Board requests a brief from Departments of Public Safety and Foreign Affairs and International Trade as well as the Departments of State and Homeland Security on current key measures of mutual concern to enhance the shared safety and security of Canada and the United States.

Operational-level Command Relations:

¶31. (U) The Board notes the efforts of U.S. Northern Command and NORAD to improve command and control organization in Colorado Springs and urges continued maximum effort in effecting a smooth transition, with no reduction in capabilities, during that process. Further, noting the evolving relationship between Canada Command, NORAD and U.S. Northern Command the Board requests an update on the evolution of the relationship between the three commands at the next meeting.

NORAD:

¶32. (U) Given the complexity of the recently added maritime warning mission for NORAD, the Board requests that NORAD provide an update on the status of the implementation of the maritime warning mission at the next Board meeting.

CANUS Defense Planning:

¶33. (U) The Board welcomes the efforts undertaken to enhance Canada-U.S. defense planning, particularly the completion of the Basic Defense Document. It requests an update on the status of the Civil Assistance Plan and the Combined Defense Plan and identification of areas needing attention.

Trilateral Defense and Security Cooperation:

¶34. (U) The Board recognizes the value of engaging Mexico on trilateral defense and security issues. The Board requests that the Department of Foreign Affairs and International Trade and the Department of State seek Mexican views on their interest on how best to move forward on trilateral defense and security issues.

CANUS Warning and Surveillance:

¶35. (U) The Board took note of the final report on the recapitalization of the North Warning System. However, the report raised questions about the wider surveillance requirements of both countries and the future role of the North Warning System. The Board requests that NORAD provide a brief on technology options for the surveillance of North America.

Maritime Domain Awareness:

¶36. (U) The Board recognizes the contribution that Canada's Maritime Security Operations Centers provide and requests an update and recommendations at the next meeting on progress being made in Canada and the United States on maritime domain awareness.

International Traffic in Arms Regulations: QInternational Traffic in Arms Regulations:

¶37. (U) The Board notes Canadian concerns regarding International Traffic in Arms Regulations requirements relating to verification of the nationality of recipients of

U.S.-origin, ITAR-controlled items and welcomes further Canadian-U.S. dialogue on this issue.

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